

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

RECLAIM THE RECORDS and BROOKE
SCHREIER GANZ,

Plaintiffs,

- against -

UNITED STATES DEPARTMENT OF
VETERANS AFFAIRS, including its
Components, the Office of General Counsel,
the Veterans Benefits Administration,
and the Veterans Health Administration,

Defendant.

No. 18-CV-448

**DECLARATION OF
DAVID B. RANKIN
IN OPPOSITION TO
DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT AND IN
SUPPORT OF CROSS-MOTION
FOR SUMMARY JUDGMENT**

I, David B. Rankin, an attorney duly licensed to practice law in this Court, pursuant to 28 U.S.C. § 1746, does hereby declare under penalties of perjury:

1. I am a partner at Beldock Levine & Hoffman LLP, attorneys for Plaintiffs and am well-familiar with the facts of this case. I submit this declaration in opposition to Defendants Motion for Summary Judgment and in support of Plaintiffs Cross-Motion for Summary Judgment pursuant to Fed. R. Civ. P. 56.

2. Annexed hereto are true and accurate copies of the following exhibits:

- a. Exhibit 1: Plaintiff's FOIA request to the Department of Veterans Affairs dated September 20, 2017.
- b. Exhibit 2: Defendant's letter denying Plaintiff's request dated January 9, 2018.
- c. Exhibit 3: Plaintiff's appeal dated April 6, 2018.
- d. Exhibit 4: Defendant's response regarding appeal dated April 26, 2018.
- e. Exhibit 5: Defendant's denial of plaintiff's appeal dated July 26, 2018.
- f. Exhibit 6: Plaintiff's appeal of the July 26, 2018 denial dated August 6, 2018.

- g. Exhibit 7: Agency's acknowledgment of appeal dated August 7, 2018.
- h. Exhibit 8: Excerpts from training presentation titled Ascertaining Veterans Vital Status Training dated January 2019.

Dated: October 11, 2019
New York, New York

Respectfully submitted,

BELDOCK LEVINE & HOFFMAN, LLP
99 Park Avenue, PH/26th Floor
New York, New York 10016
Attorneys for Plaintiff



By: _____

David B. Rankin
Katherine Adams (law graduate)
t: 212-277-5825
e: drankin@blhny.com